

# HOUSE BILL REPORT

## SHB 2191

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### As Amended by the Senate

**Title:** An act relating to police dogs.

**Brief Description:** Concerning police dogs.

**Sponsors:** House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Rivers, Blake, Klippert, Hurst, Haler, Takko, Alexander, Hope, Harris and Reykdal).

**Brief History:**

**Committee Activity:**

Public Safety & Emergency Preparedness: 1/18/12, 1/27/12 [DPS].

**Floor Activity:**

Passed House: 2/8/12, 98-0.

Senate Amended.

Passed Senate: 2/28/12, 49-0.

**Brief Summary of Substitute Bill**

- Authorizes courts to impose a civil penalty of \$5,000 for harming a police dog or \$10,000 for killing a police dog.

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### HOUSE COMMITTEE ON PUBLIC SAFETY & EMERGENCY PREPAREDNESS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Hurst, Chair; Ladenburg, Vice Chair; Pearson, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Appleton, Armstrong, Goodman, Hope, Kirby and Ross.

**Staff:** Yvonne Walker (786-7841).

**Background:**

A police dog is a dog used by a law enforcement agency specially trained for law enforcement work and under the control of a dog handler.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

A person is guilty of Harming a Police Dog if he or she maliciously injures, disables, shoots, or kills a dog that the person knows or has reason to know is a police dog. The dog does not have to be engaged in police work at the time when the person injures or kills the dog. Harming a Police Dog is an unranked class C felony offense. The maximum sentence for unranked felonies is one year of confinement, along with possible community service, legal financial obligations, community supervision, and a fine.

When a dog bites a person, the dog owner is liable for any damages that may be suffered by the victim, regardless of the former viciousness of the dog or the dog owner's knowledge of such viciousness.

**Summary of Substitute Bill:**

In addition to any criminal penalties that are imposed, courts are authorized to impose a civil penalty of \$5,000 for harming a police dog or \$10,000 for killing a police dog. The fines imposed may not be reversed. Any money collected from the fines must be distributed to the jurisdiction that owns the police dog.

Police dogs are exempt from the statutory provisions that make a police dog owner liable for damages that a victim may sustain from a police dog bite.

**EFFECT OF SENATE AMENDMENT(S):**

The original bill authorized the courts to impose a "discretionary" civil fine of \$5,000 for harming a police dog and a "discretionary" civil fine of \$10,000 for killing a police dog. The Senate amendment requires the courts to impose a "mandatory" fine of at least \$5,000 if the dog is killed, however the court has authorization to increase that fine up to a maximum of \$10,000.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Clark County has recently lost two dogs due to offenders stabbing the dogs in an attempt to escape or evade arrest. This imposes a financial burden on law enforcement agencies as they attempt to replace these expensive dogs. The cost can reach as much as \$15,000 per dog.

Police dogs are an extension of the officer and are often considered their partners. Police dogs are important tools used across the state and are often sent into dangerous situations that can harm or kill them. It is unrealistic to hold a police dog at the same standard as pets. These animals need to be recognized for their training and as important tools provided to law enforcement agencies.

(Opposed) None.

**Persons Testifying:** Representatives Rivers, prime sponsor; and Jamie Daniels and Lee Reaves, Washington Council of Police and Sheriffs.

**Persons Signed In To Testify But Not Testifying:** None.